APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/846,866	05/01/2001	Chong Khai Diong	38,146	5004

29569	7590	09/09/2004

JEFFREY FURR
253 N. MAIN STREET
JOHNSTOWN, OH 43031

EXAMINER
CHANG, JUNGWON

ART UNIT	PAPER NUMBER
2154	

DATE MAILED: 09/09/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	09/846,866	DIONG, CHONG KHAI
	Examiner	Art Unit
	Jungwon Chang	2154

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on _24 September 2003_.

2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) _1-25_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) _1-25_ is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All   b) ☐ Some * c) ☐ None of:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____.

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

1.   Claims 1-25 are presented for examination.

2.   Claims 1, 7 and 14 are objected because the following informalities:

Claim 1, lines 3 and 7, please delete "and" at the end of the line,

Claim 7, the sentence is not completed (please see line 2, "when one or"), and

Claim 14, line 6, please delete "and" at the end of the line.

Appropriate correction is required.

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4.   Claims 1-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Carau, Sr. et al. (US 6,651,118), hereinafter referred to as Carau, in view of Kikinis (US

6,622,169).

5.   As to claim 1, Carau discloses the invention substantially as claimed, including a

system for monitoring and controlling a plurality of appliances (i.e., communications

manager for appliance-to-appliance communications; col. 1, lines 10-13), said system

comprising:

access means providing said appliances (1-7, fig. 1) with internet connectivity (col. 4, lines 26-30); and

at least one server (130, fig. 3; col. 4, lines 26-30), through which all data from said appliances and users of said system passes (col. 3, line 58 – col. 4, line 9);

wherein said system is capable of allowing any said user to simultaneously communicate with a plurality of said appliances (i.e., one-to-many connection; col. 5, lines 19-24); and

capable of allowing a plurality of said users to simultaneously communicate with any particular said appliance (i.e., many-to-one connection; allowing appliances (many) to communicate directly with one another; col. 5, lines 15-16 and 19-24).

6.   Kikinis does not specifically disclose central server; and communicating in real-time. However, Kikinis discloses central server (21, fig. 1; col. 5, lines 19-31 and 44-61); and communicating in real-time (col. 2, lines 20-31).

7.   It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Carau and Kikinis because Kikinis's central server and communicating in real-time would improve the managing of the plurality of appliances in Carau's system by centrally configuring all appliances under control of the central server and allowing the appliances communicate with each other in real-time.

8.   As to claim 2, Carau discloses communication means enabling said appliances

to initiate communication with a plurality of other said appliances and said users without

any human intervention (i.e., allowing two devices to connect without user intervention;

col. 5, lines 8-11).

9.   As to claims 3 and 4, Carau discloses said server (130, fig. 3; col. 4, lines 26-30)

is capable of receiving inputs from and transmitting outputs to said appliances under the

control of a plurality of program control means (i.e., program memory, 144, fig. 4, stores

communications programs, 143, fig. 4, which control communication transactions via the

appropriate communications modules and drivers; col. 4, lines 10-22 and 51-67).

10.   As to claim 5, Carau discloses server contains software application means for a

plurality of said users of said system to write and modify said program control means

and the writing and modification of said program control means (i.e., 116, fig. 4;

program memory, 144, fig. 4, stores communications programs, 143, fig. 4, which

control communication transactions via the appropriate communications modules and

drivers; col. 4, lines 10-22 and 51-67). However, Carau does not specifically disclose

GUI.

11.   As to claim 6, Examiner takes Official Notice that it is notoriously old and well

known in the computer network art that the capable of communicating within the internet

without the need of a static IP address that would reduce the costs by providing

dynamic IP address which is less expensive than static IP address.

12.   As to claim 7, Carau discloses automatically connect to the Internet and the

server using a dial-up connection (i.e., modem, 122, fig. 3, to dial up phone 126, fig. 3;

col. 3, line 66 - col. 4, lines 1-9 and 26-30).

13.   As to claim 8, Carau does not specifically disclose appliances automatically

logon to said server at regular pre-programmed intervals to report their status. However,

Kikinis discloses appliances automatically logon to said server at regular pre-

programmed intervals to report their status. (i.e., certain, periodic, pre-programmed or

flexible intervals; col. 6, lines 38-40). It would have been obvious to one of ordinary skill

in the art at the time the invention was made to combine the teachings of Carau and

Kikinis because Kikinis's periodic or programmed intervals would allow the system to

monitor the status of the connectivity using the preprogrammed interval, such as a

heartbeat.

14.   As to claims 9 and 10, Carau discloses said appliance (i.e., portable computing

appliance) contains an embedded internet access (i.e., microprocessor, memory)

means built-in as an integral part of said appliance (i.e., portable computing appliances

means that a user may store...personal computing appliance such as a portable or

palm top computer; col. 1, lines 16-20).

15.   As to claim 11, Carau does not specifically disclose encryption. However, Kikinis

discloses encryption (i.e., private WAN; col. 5, lines 13-14). It would have been obvious

to one of ordinary skill in the art at the time the invention was made to combine the

teachings of Carau and Kikinis because Kikinis's password and encryption would

improve security of Carau's system by protecting unauthorized person who tries to

access the system.

16.   As to claim 12, Carau discloses appliance is capable of receiving a request from

said server while said appliance is offline (col. 1, lines 16-20).

17.   As to claim 13, Carau discloses internet is an intranet (col. 5, lines 13-14).

18.   As to claim 14, it is rejected for the same reasons set forth in claim 1 above. In

addition, an embedded internet access device (i.e., microprocessor, memory) for

enabling any appliances to communicate over the internet using a system (i.e., portable

computing appliances means that a user may store...personal computing appliance

such as a portable or palm top computer; col. 1, lines 16-20).

19.   As to claims 19 and 20, Carau does not specifically disclose disconnecting from

the internet after a user-programmable period of inactivity and connecting to the central

server at regular user programmable intervals. However, Kikinis discloses disclose

disconnecting from the internet after a user-programmable period of inactivity and

connecting to the central server at regular user programmable intervals (i.e., certain,

periodic, pre-programmed or flexible intervals; col. 6, lines 38-40). It would have been

obvious to one of ordinary skill in the art at the time the invention was made to combine

the teachings of Carau and Kikinis because Kikinis's periodic or programmed intervals

would allow the system to monitor the status of the connectivity using the

preprogrammed interval, such as a heartbeat.

20.   As to claim 21, Carau discloses said device has a unique identification means

(i.e., appliance identifier; col. 1, lines 53-61).

21.   As to claims 22 and 23, Carau does not specifically disclose password and

encryption. However, Kikinis discloses password (col. 2, lines 56-58) and encryption

(i.e., private WAN; col. 5, lines 13-14). It would have been obvious to one of ordinary

skill in the art at the time the invention was made to combine the teachings of Carau

and Kikinis because Kikinis's password and encryption would improve security of

Carau's system by protecting unauthorized person who tries to access the system.

22.   As to claim 24, Carau discloses wireless communication (i.e., internet, infra-red;

col. 4, lines 26-30).

23.   As to claim 25, Carau discloses capable of communicating with said server via

said embedded internet device without the need of a separate internet connection (col.

3, lines 9-30).

24.   As to claims 15 and 16, they are rejected for the same reasons set forth in claims

9 and 10 above.

25.   As to claim 17, it is rejected for the same reasons set forth in claim 6 above.

26.   As to claim 18, it is rejected for the same reasons set forth in claim 7 above.

Conclusion

27.   The prior art made of record and not relied upon is considered pertinent to

applicant's disclosure:

Tominaga et al, patent 6,539,433, Keeney et al, patent 6,748,471, Kikinis, patent

6,161,133, Iggulden, patent 6,415,023, Myer et al, patent 6,615,088 disclose method

and apparatus for setting programmable features of an appliance.

28.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Jungwon Chang whose telephone number is (703)305-

9669. The examiner can normally be reached on 9:30-6:00 (Monday-Friday).

     If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, John A Follansbee can be reached on (703)305-8498. The fax phone

number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JWC
September 3, 2004

JOHN FOLLANSBEE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100